

Impairment at Work

Impairment at Work - Policy and Recognition

On this page

[What can be considered impairment at work?](#)

[What elements should be in a policy about impairment?](#)

[When should a workplace respond to impairment?](#)

[What can impairment look like?](#)

What can be considered impairment at work?

We often think of impairment as a result of substance use or in terms of addiction or dependence to alcohol or drugs (used legally or illegally). While not formally defined by the Canadian Human Rights Commission describes the appearance of impairment at work as: “e.g. odor [sic] of alcohol or drugs, glassy or red eyes, unsteady gait, slurring, poor coordination.”

However, impairment can be the result of various situations, including many that are temporary or short term. Issues that may distract a person from focusing on their tasks include those that are related to family or relationship problems, fatigue (mental or physical), traumatic shock, or medical conditions or treatments. Examples include:

- experiencing the effects of [substance use](#), including alcohol or other drugs (legal or illegal)
- treating illness or using medication(s) with side effects (such as radiotherapy causing tiredness, or antibiotics causing nausea)
- having [fatigue](#)
- being tired due to long work periods, or working more than one job
- experiencing the disruption to body circadian rhythm caused by [shiftwork](#)
- having a crisis in the person's family
- assisting a child or a family member or having a young infant
- preparing for an external activity such as an exam or wedding
- experiencing shock or insecurity after a workplace incident, fire, or robbery

- having unresolved conflict with the employer, or among employees
- experiencing sexual harassment or [bullying](#)
- being exposed to extreme [cold](#) (results in lower mental alertness, less dexterity in hands, etc.) or heat (results in increased irritability, loss of concentration, loss of ability to do skilled tasks or heavy work, etc.)

Note that other issues, such as problematic gambling or shopping, may also be a cause of distraction, inattention, or making inappropriate decisions while at work. As such, they may also be considered a form of impairment.

This document covers information about impairment policy and how to recognize impairment. Please see the OSH Answers document [Impairment at Work - Reporting and Responding](#) for more information.

When should a workplace respond to impairment?

In general, employers should consider if there is a risk to the individual's safety or the safety of others. For example, while impaired:

- Does the person have the ability to perform the job or task safely (e.g., driving, operating machinery, use of sharp objects)?
- Is there an impact on cognitive ability or judgement?

Part of this evaluation would be to consider if there are other side effects of a medical condition or treatment that need to be considered.

Each situation should be assessed on a case-by-case basis.

What elements should be in a policy about impairment?

Elements of the policy about impairment should include:

- Statement of the purpose and objectives of the policy and program
- Definition of impairment
- Statement of who is covered by the policy and program
- Statement of the employee's rights to confidentiality
- Statement regarding what actions will be taken when there are concerns about the behaviour of a person if it might have an impact on the workplace or when the behaviour puts the safety of the person or others at risk (See the OSH Answers [Impairment – Reporting and Responding](#) for what should be done if impairment is suspected)

- A mechanism for employees to confidentially report when they have been prescribed a medication that may cause impairment or when they feel they might be otherwise impaired
- Statement regarding if either medical/therapeutic or non-medical substances are allowed on the premises, or under what situation they would be allowed
- That arrangements have been made for employee education (e.g., general awareness)
- That arrangements have been made for educating and training employees, supervisors and others in identifying impaired behaviour and what steps will be taken if impairment is suspected
- Provisions for assisting those with disability due to substance dependence
- Processes for accommodation, and return to work/remain at work
- Provisions for appropriate sick leave or benefits
- If applicable, statement regarding under what circumstances substance testing will be conducted, as well as the criteria for testing and interpretation of test results
- Provision for a hierarchy of disciplinary actions

Employers should collaborate with employees, health and safety committee/representative, and union (if present) to design a policy which outlines what is an acceptable code of behaviour, and an acceptable level of safety performance. Workplaces are encouraged to establish a policy and procedure so that safety is maintained, concerns regarding safety performance are addressed fairly and appropriately, and where necessary, help can be coordinated or offered in a professional and consistent manner.

The policy may also need to state how discussions will take place, what options are available if the ability to work safely is a concern (e.g., assigned less safety-critical work, sent home, etc.), and actions that may be taken. If an employee may be sent home, it should be clear if this action is taken, under what circumstances is it appropriate and whether it is done via sick time or how pay will be affected, if relevant.

Supervisors should be educated and trained regarding how to recognize impairment. In most cases, when assessing an individual for impairment, it is suggested that a second trained person be present to help make sure that there is an unbiased assessment.

Note: it is not the role of the supervisor or employer to diagnose a medical issue, or possible substance use or dependency problem. Their role is to identify if an employee is impaired, and to take the appropriate steps as per the organization's policy.

What can impairment look like?

Because impairment may be the result of various circumstances, the employer should develop a clear statement of what is considered to be impaired behaviour within their workplace. The Canadian Human Rights Commission uses the following characteristics as they relate to changes in an employee's attendance, performance, or behaviour:

- personality changes or erratic behaviour (e.g. increased interpersonal conflicts; overreaction to criticism)
- appearance of impairment at work (e.g., odour of alcohol or drugs, glassy or red eyes, unsteady gait, slurring, poor coordination)
- working in an unsafe manner or involvement in an incident
- failing a drug or alcohol test
- consistent lateness, absenteeism, or reduced productivity or quality of work

Sometimes there are immediate signs and symptoms present. Other times, it is a pattern of behaviour that may be a concern. The following table is from “A Toolkit to Address Problematic Substance Use that Impacts the Workplace” as published by the Atlantic Canada Council on Addiction (ACCA) which can be used to help determine impairment in general.

ACCA notes the following about using signs and symptoms:

- They may be different from person to person.
- When used alone or in combination, they do not necessarily mean that somebody has a substance use problem. However, they may be indicators that your employee is in trouble or in need of some help (regardless of if the issue stems from problematic substance use or another cause).

Table 1
Signs and Symptoms of Problematic Substance Use
(not specific to any causal agent)

	Indicators
Physical	<ul style="list-style-type: none"> • deterioration in appearance and/or personal hygiene • unexplained bruises • sweating • complaints of headaches • tremors • diarrhea and vomiting • abdominal/muscle cramps • restlessness • frequent use of breath mints/gum or mouthwash • odour of alcohol on breath • slurred speech • unsteady gait
Psychosocial impacts	<ul style="list-style-type: none"> • family disharmony (e.g., how the colleagues speak of family members) • mood fluctuations (e.g., swinging from being extremely fatigued to 'perkiness' in a short period of time) • inappropriate verbal or emotional response • irritability • confusing or memory lapses • inappropriate responses/behaviours • isolation from colleagues • lack of focus/concentration and forgetfulness • lying and/or providing implausible excuses for behaviour
Workplace performance and professional image	<ul style="list-style-type: none"> • calling in sick frequently (may work overtime) • moving to a position where there is less visibility or supervision

- arriving late for work, leaving early
- extended breaks; sometimes without telling colleagues they are leaving
- forgetfulness
- errors in judgement
- deterioration in performance
- excessive number of incidents/mistakes
- non-compliance with policies
- doing enough work to just 'get by'
- sloppy, illegible, or incorrect work (e.g., writing, reports, etc.)
- changes in work quality

Please see the OSH Answers document [Impairment at Work - Reporting and Responding](#) for more information.

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